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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,514	12/19/2005	Neville Simeon Conrad	BKYZ 2 00109	9365
27885	7590	12/06/2006	EXAMINER	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP 1100 SUPERIOR AVENUE, SEVENTH FLOOR CLEVELAND, OH 44114			PATEL, DHIRUBHAI R	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/535,514

Applicant(s)

CONRAD, NEVILLE SIMEON

Examiner

DHIRU R. PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) \*
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**Claim Objections**

1. Claims 6 and 8 are objected to because of the following informalities:

In claim 6 line 2, " one strap" is same as at least one strap being claimed on claim 2?.

2. Regarding claim 22, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-15, 17-20, 22-23 are rejected under 35 U.S.C. § 102(b) as being anticipated by Saylor et al (6,192,805).

Saylor et al disclose:

Regarding claims 1 and 5, a receptacle for electrical cable 14 comprising a substantially rigid stand member 11 carrying a flexible cable retaining member 10 which is so

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formed as to resiliently retain the cable against the stand while allowing a flow of air past the cable (see figs 2 and 5, column 2 lines 65-67 and column 3 lines 1-40).

Regarding claim 2, wherein the flexible member being connected to the rigid member by at least one strap 61(see fig 1, column 5 lines 15-20).

Regarding claims 3-4, wherein said at least one strap is resilient and elasticated (see column 4 lines 66-77 and column 5 lines 1-2).

Regarding claim 6, as best understood, wherein the flexible member is connected to the rigid member by one strap61 forming a border around the periphery of the flexible member (see figs 2 and 4).

Regarding claim 7, wherein at least part of said at least one strap connects the flexible member to the rigid member removably (see figs 2 and 5).

Regarding claim 8, wherein said at least one strap connects the flexible member to the rigid member removably via studs 63 with enlarged heads acting as hooks (see fig 1).

Regarding claim 9, wherein the flexible member is a perforated bag (see figs 2 and 5) .

Regarding claim 10, wherein the flexible member is a net (see figs 3-4).

Regarding claim 11, wherein the flexible member is elasticated (see column 3 lines 27-50).

Regarding claim 12, wherein the net is sufficiently elastic to permit an electrical plug appliance to be pushed through an aperture 54,55 of the net and then retained securely inside it (see fig 3, column 3 lines 20-26, column 4 lines 45-65, column 5 lines 60-67).

Regarding claim 14, wherein the rigid member includes cable guide means 22 (see fig 1 ).

Regarding claim 15, wherein said guide means comprises slots 54, 55 for locating cables (See figs 1 and 3).

Regarding claim 17, wherein the rigid member is formed from a sheet material and said each slot for locating cables extends inwards from an edge of the rigid member (see fig 3, column 3 lines 1-30).

Regarding claim 18, wherein said slots for locating cables are so shaped as to cooperate with an adjacent surface in order to retain the cables (see figs 1 and 3).

Regarding claim 19, wherein said slots for locating cables are formed so as to cooperate with a table in order to retain the cables (see fig 1 and column 3 lines 1-30).

Regarding claim 20, wherein the rigid member is adapted to hang from the edge of a desk (see fig 1).

Regarding claim 22, considering the claim objection, the claim 22 is included in this rejection.

Regarding claim 23, the assembly of Saylor et al capable of adapted to house a multiway connector.

#### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

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ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1- 19 and 21 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Anthony Cozeck (3,588,019) in view of Saylor et al (6,192,805).

Anthony Cozeck disclose :

Regarding claims 1 and 5, a substantially rigid stand member 11 (see fig 1), but fails to disclose a flexible cable retaining member which is so formed as to resiliently retain the cable against the stand while allowing a flow of air past the cable. Saylor et al teach the use of a flexible cable retaining member 10 which is so formed as to resiliently retain the cable against a stand 11 while allowing a flow of air past the cable (see figs 2 and 5, column 2 lines 65-67 and column 3 lines 1-40) in order for storage and containment of cabling associated with work related items such as computers, telephones (see entire abstract ). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Anthony Cozeck with a flexible cable retaining member as taught by Saylor et al in order for storage and containment of cabling associated with work related items such as computers.

Regarding claim 2, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including the flexible member 10 being connected to the rigid member by at least one strap 61 (see fig 1, column 5 lines 15-20 of Saylor et al):

Regarding claims 3-4, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein said at least one strap is resilient and elasticated (see column 4 lines 66-77 and column 5 lines 1-2 of Saylor et al).

Regarding claim 6, as best understood, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the flexible member is connected to the rigid member by one strap 61 forming a border around the periphery of the flexible member (see figs 2 and 4 of Saylor et al).

Regarding claim 7, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein at least part of said at least one strap connects the flexible member to the rigid member removably (see figs 2 and 5 of Saylor et al).

Regarding claim 8, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein said at least one strap connects the flexible member to the rigid member removably via studs 63 with enlarged heads acting as hooks (see fig 1 of Saylor et al).

Regarding claim 9, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the flexible member is a perforated bag (see figs 2 and 5 of Saylor et al).

Regarding claim 10, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the flexible member is a net (see figs 3-4 of Saylor et al).

Regarding claim 11, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the flexible member is elasticated (see column 3 lines 27-50 of Saylor et al).

Regarding claim 12, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the net is sufficiently elastic to permit an electrical plug appliance to be pushed through an aperture 54,55 of the net and then retained securely inside it (see fig 3, column 3 lines 20-26, column 4 lines 45-65, column 5 lines 60-67 of Saylor et al).

Regarding claim 13, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including the rigid member comprises a sheet of material, one edge of which is formed into an L-shaped cross-section, so as to form a stand (see fig 1 and column 1 lines 40-50 of Anthony Cozeck).

Regarding claim 14, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the rigid member includes cable guide means 12(see fig 1 of Anthony Cozeck).

Regarding claim 15, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein said guide means comprises slots 54, 55 for locating cables (See figs1 and 3 of Saylor et al).

Regarding claim 16, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein said guide means includes a trough 12 formed at the opposite edge to the edge having the L-shaped cross-section (see fig 1 of Anthony Cozeck).



Regarding claim 17, the modified assembly of Anthony Cozeck disclose all the features of the claimed invention as shown above, including wherein the rigid member is formed from a sheet material and said each slot for locating cables extends inwards from an edge of the rigid member (see fig 3, column 3 lines 1-30 of Saylor et al).

Regarding claim 18, wherein said slots for locating cables are so shaped as to cooperate with an adjacent surface in order to retain the cables (see fig s1 and 3 of Saylor et al).

Regarding claim 19, wherein said slots for locating cables are formed so as to cooperate with a table in order to retain the cables (see fig1 and column 3 lines 1-30).

Regarding claim 21, wherein the rigid member is adapted to stand upright on a surface (see fig 1 of Anthony Cozeck ).

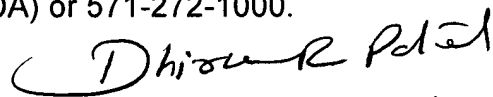
#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DHIRU R PATEL  
Primary Examiner  
Art Unit 2831

11/27/06.

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